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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,536	01/15/2003	Julie Salamone	5-ART	3577

26381 7590 08/08/2007  
IP Authority, LLC  
Ramraj Soundararajan  
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EXAMINER
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HOANG, PHUONG N

ART UNIT	PAPER NUMBER
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2194

MAIL DATE	DELIVERY MODE
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08/08/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/890,536

Applicant(s)

SALAMONE ET AL.

Examiner

Phuong N. Hoang

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) ☐ Interview Summary (PTO-413)

Paper No(s)/Mail Date. \_\_\_\_\_

5) ☐ Notice of Informal Patent Application

6) ☐ Other: \_\_\_\_\_

WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER

### DETAILED ACTION

1. Claims 1 – 10 are pending for examination.
2. This office action is in response to Appeal Brief filed 4/30/07.
3. References, not found in this office action, can be found in previous office action.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 3 – 6, 8 - 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over “The Common Object Request Broker: Architecture and Specification” (herein refers as Corba) in view of Cavanaugh, US patent no. 6,516,354.**
5. **As to claim 1**, Corba teaches a method of activating a process, comprising:  
Generating one or more first plug-ins (create portable object adapter (POA), 9.2.3) each configured to activate (adapter activator invoked when POA receiving request .....target POA, 9.3.3, especially p..949) a target process;

Dynamic (dynamic registering would include in step of dynamic creation and invocation of request to objects, chapter 5, 9.6.11, 9.3.3, 9.3.4, and 9.3.2) registering the first plug-ins with a second plug-in (an AdapterActivator object must ..... registered with);

Activating at least one target process (activate, 9.3.2. and 9.3.3, 1.3.2.1, figure 11-3).

Corba does not explicitly teach the step of permanently storing information relating to each registered first plug-in and the activation is based on said permanently stored information.

Cavanaugh teaches permanently storing information relating to each registered first plug-in (permanent storage, the server with persistent state would maintain the mapping, figure 1 and associated text, and col. 7 lines 50 – col. 8 lines 35), activating at least one target process based on the permanently stored information (activating the request object (figure 3 and associated text)).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Corba and Cavanaugh's system because Cavanaugh's permanently stored information would quickly retrieving the mapping once the server is persistent and has persistent state to maintain the mapping (col. 8 lines 1 – 30).

6. **As to claim 3**, Corba teaches generating an exception to indicate that a target process is inactive when its flag is not set to the first state or second state (adapterinactive exception, 9.3.2 processing states).

7. **As to claim 4**, Corba teaches providing a unique identifier for each target process (POA name, figure 9 – 2 and 9.2.3); and sending and receiving a message between the first and second plug-ins using the identifier (a request from the POA to an adapter activator .....delivered to that POA, 9.3.3).

8. **As to claim 5**, Corba teaches the message includes information relating to a state change of the target processes, and wherein the state includes an activated state and a deactivated state (deactivate state, 9.3.2).

**As to claim 6**, this is the system claim of claim 1. See rejection for claim 1 above.

9. **As to claims 8 – 10**, see rejection for claims 3 – 5 above.

10. **Claims 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over “The Common Object Request Broker: Architecture and Specification”**

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**(herein refers as Corba) in view of Cavanaugh, US patent no. 6,516,354, and further in view of Chandy, US patent no. 6,96,791.**

**11. As to claims 2 and 7,** Chandy teaches storing a flag for each registered first plug-in (variable indicating the state); activating the corresponding target process if the flag is set to a second state.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Corba and Chandy's system because the flag would be common to keep track of the state of an object to support the permanently stored information.

### ***Response to Arguments***

**12.** Applicant's arguments filed 4/30/07 have been considered but are moot in view of the new ground(s) of rejection.

**13.** Applicant argued in substance that examiner citations (9.3.2, 9.3.3) describe "POA Manager" not POA. In response, examiner cited 9.2.3, not 9.3.2, the title of 9.2.3. is "POA creation". Examiner also remaps some limitations to make it more readable.

### ***Conclusion***


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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong N. Hoang whose telephone number is (571)272-3763. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ph  
August 5, 2007

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER